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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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EXAMINER
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CHOWDHURY, SUMAIYA A

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/895,755	<b>Applicant(s)</b> UCHIDA ET AL.	
	<b>Examiner</b> SUMAIYA A. CHOWDHURY	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1 and 5-7 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wehmeyer (6169543) in view of Minoura (6323883), Proehl (6532589), Rasanky (5960406), Etheredge (6018372) and Lawler (5805763).

As for claims 1 and 7, Wehmeyer discloses:

A reservation information setting apparatus operable for use with a television receiver having a display unit, said apparatus, comprising:

schedule table forming means for controlling a display of a schedule table that includes calendar information – Fig. 6; col. 16, lines 4-16, col. 11, lines 37-41, col. 12, lines 49-51;

date selection accepting means for accepting a selection input of a target date in said schedule table – col. 14, lines 10-15;

schedule information accepting means for accepting an input of user schedule information for a respective target date – Fig. 5A; col. 12, lines 59-63, col. 13, lines 42-51, col. 14, lines 4-15, col. 16, lines 50-65;

reservation information accepting means for accepting an input of reservation information for a broadcast program on a respective target date, means for selecting whether the reservation information is a recording reservation for recording the broadcast program or a viewing reservation for viewing the broadcast program; – col. 12, lines 13-17; and

said user schedule information representative of a number of user events pertaining to a user which are not related to broadcast programs – (i.e. personalized calendar function such as a reminder to “Call Mom”; col. 12, lines 49-51, lines 59-60, col. 13, lines 41-50, col. 16, lines 50-65).

However, Wehmeyer fails to disclose:

said schedule table forming means being operable to control the display of the schedule table so as to enable one of calendar information to be displayed on a single display screen of the display unit;

each of the number of user events is displayable as a pictograph and/or text

said schedule table forming means including means for enabling each said pictograph and/or text of each user event and information including a start time and a channel of each accepted broadcast program occurable within a respective month to be

displayed on the single display screen of the respective month of calendar information, in which information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information.

Causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation;

In an analogous art, Minoura discloses:

schedule table forming means being operable to control the display of the schedule table so as to enable one month of calendar information to be displayed on a single display screen of the display unit - (Fig. 6, col. 4, lines 8-15, lines 26-28, lines 34-36);

each of the number of events is displayable as a pictograph and/or text - (52 – Fig. 6, col. 4, lines 40-46)

schedule table forming means including means for enabling said pictograph and/or text of each user event and information of each accepted broadcast program occurable within a respective month to be displayed on the single display screen of the respective month of calendar information – (Referring to Fig. 6, the user has a tennis game (52) scheduled on September 30<sup>th</sup>. - col. 4, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer's invention to include the above mentioned limitation, as taught by Minoura, for the advantage of providing a visual display of the user's events for the respective month on a television.

However, Wehmeyer and Minoura fail to teach:

information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information and wherein the start time of the broadcast program is displayed; and

wherein a schedule table forming means includes information about a channel;

Causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation;

In an analogous art, Proehl discloses information of each non-accepted broadcast program is not displayed on the single display screen of the respective month of calendar information (Fig. 9; col. 8, lines 10-30).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer and Minoura's invention to include the above mentioned limitation, as taught by Proehl, for the advantage of displaying only relevant information pertaining to the user and to not over-clutter the display.

However, Wehmeyer, Minoura, and Proehl fail to teach:

the start time (respective broadcast time) of the broadcast program is displayed.

wherein the schedule table forming means includes information about a channel;

Causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation;

In an analogous art, Rasanky teaches the start time of football games is displayed along with the title of the program – (Fig. 16A; col. 17, lines 3-18).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, and Proehl's invention to include the above mentioned limitation, as taught by Rasanky, for the advantage of displaying a personal calendar with pertinent information in one view as opposed to selecting the title of content to then view the supplemental information.

However, Wehmeyer, Minoura, Proehl, and Rasanky fail to teach:

wherein a schedule table forming means includes information about a channel;

Causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation;

In an analogous art, Etheredge teaches wherein the schedule table displays the channel number of a broadcast program such that the user is informed which channel to tune to, in order to view the desired program. - fig. 24, 25; col. 18, lines 25-67, col. 19, lines 14-33.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, Proehl, and Rasanky's invention to include the above mentioned limitation, as taught by Etheredge, such that the user is informed which channel to tune to, in order to view the desired program.

However, Wehmeyer, Minoura, Proehl, Rasanky, and Etheredge fail to teach:

Causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation;

In an analogous art, Lawler teaches causing a respective indication thereof to be added to the schedule table such that the indication for the recording reservation is different than the indication for the viewing reservation (col. 8, lines 42-54);

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer, Minoura, Proehl, Rasanky, and Etheredge's invention to include the above mentioned limitation, as taught by Lawler, for the advantage of quickly and easily determining which programs have been set for a reminder and which programs have been set for recording.

Claim 5 contains limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Claim 5 additionally calls for the following which Wehmeyer discloses:

said reservation information including said target date and a broadcast time on said target date – col. 11, lines 11-17;

reservation information storing means for storing said reservation information for said broadcast program on said target date – col. 11, lines 11-17; and

viewing control means for controlling the display of said broadcast program upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

Claim 6 contains limitations of claim 5 and is analyzed as previously discussed with respect to that claim. Claim 6 additionally calls for the following:

information signal storing means (electronic host device – set top box) for storing an information signal – col. 12, lines 12-18; and

recording control means for controlling the recording of said broadcast program in said information signal storing means upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2623

SAC